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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICANT:

Dany Berube et al.

APPLICATION NO.:

10/602,372

FILING DATE:

June 23, 2003

TITLE:

Clamp Accessory and Method for an Ablation Instrument

EXAMINER:

Amanda S. Adams

GROUP ART UNIT:

3731

ATTY. DKT. NO.:

23488-09191

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated:

8/2/06

By:

Albert C. Smith, Reg. No.

eg. No.: 20,355

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS

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ALEXANDRIA, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry
into the national stage of an international application, or before the mailing
date of a first office action on the merits, whichever event last occurred;
before the mailing of a first official action after the filing of a request for
continued examination (RCE) under 37 CFR § 1.114;

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	of ent	ry of th	e national stage in an international application, or after the						
	mailin	ng date	of the first official action on the merits, whichever event last						
	occurred, but before the mailing date of the first to occur of either: (1) a								
	final a	ction u	nder 37 CFR §1.113; or (2) an action that otherwise closes						
	prosec	cution i	n the application, and:						
	\boxtimes	attac	attached hereto is the fee set forth under 37 CFR §1.17(p) for						
		subn	nission of this Information Disclosure Statement under 37						
		CFR	CFR.§ 1.97(c); OR						
		Appl	licant certifies pursuant to 37 CFR § 1.97(e) that:						
			each item of information contained in this Information						
			Disclosure Statement was first cited in a communication						
			from a foreign patent office in a counterpart foreign						
			application not more than three months prior to the filing of						
			this Statement; OR						
			no item of information contained in this Information						
			Disclosure Statement was cited in a communication from a						
			foreign patent office in a counterpart foreign application						
			and, to the knowledge of the person signing this						
			certification after making reasonable inquiry, no item of						
			information contained in this Statement was known to any						
			individual designated under 37 CFR § 1.56(c) more than						
			three months prior to the filing of this Statement;						
	on or	before	the payment of the issue fee but after the mailing date of the						
	first t	o occur	r of either: (1) a final action under 37 CFR § 1.113; (2) a						
	notice	e of allo	owance under 37 CFR § 1.311; or (3) an action that otherwise						
	close	s prosec	cution in the application, and:						
		Appl	icant certifies pursuant to 37 CFR. § 1.97(e) that:						
			each item of information contained in this Information						
			Disclosure Statement was cited in a communication from a						
			foreign patent office in a counterpart foreign application not						
			more than three months prior to the filing of this Statement;						
			no item of information contained in this Information						
			Disclosure Statement was cited in a communication from a						
			foreign patent office in a counterpart foreign application						
			and, to the knowledge of the person signing this						

				certific	cation after	r making rea	sonable inqui	ry, no item of
	,	•		inform	nation cont	ained in this	Statement wa	as known to any
				individ	dual design	nated under 3	7 CFR § 1.50	5(c) more than
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		hereby	referen	ced, but are no	t required	to be provide	ed in this app	lication under 37
		CFR §	1.98(d)).				
	\boxtimes	Copies	s of any	foreign patent	documents	and non-pat	tent literature	cited herein are
		enclos	ed.					
		Each i	tem of i	nformation con	ntained in t	his Informati	ion Disclosur	e Statement was
		cited i	n a com	munication from	m a foreig	n patent offic	e in a counte	rpart application,
		and th	e comm	unication was r	not receive	d by any ind	ividual desigi	nated in 37 CFR
		§ 1.56	(c) more	e than thirty day	ys prior to	the filing of	this Informati	ion Disclosure
		Statem	nent. 37	CFR § 1.704(d).			
		Applic	ant sub	mits that no fee	e is require	d for the con	sideration of	this Information
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	Consid	deration	of the l	isted references	s and favor	able action a	are solicited.	
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Dated:		8(2	2/06		By:	Rich	Sun	th
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INEC	DMATIO	N DIS	CLOSUBE	Application No.	10/602,372			
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SIA	ICIVICIAI	DT AI	PEICANI >	First Named Inventor	Dany Berube			
			AUG 0 8 2006	Art Unit	3731			
			A 1006	Examiner Name	Amanda S. Adams			
Sheet	1 of 3 1		7 1	Attorney Docket Number	23488-09191			
	-		MOFMARK					

U.S. PATENT DOCUMENTS										
2		Document No.								
Examiner Initials*	Cite No.1	Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document						
	A1	US-2005/0075629 A1	04-05-2005	Chapelon et al.						
****	A2	US-2003/0220639 A1	11-27-2003	Chapelon et al.						
	А3	US-6,322,558	11-27-2001	Taylor et al.						
	A4	US-5,403,312	04-04-1995	Yates et al.						
	A5	US-09/747,609		Hooven						

•			FOREIGN PA	ATENT DOCUMENTS					
Foreign Patent Document									
Examiner Initials*	Cite No.1	Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶				
····	B1	WO 01/58373 A1	08-16-2001	lotek, Inc.					

		OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
_	C1	COX, J.L. et al., "The Surgical Treatment Atrial Fibrillation," (Pts. 1-2), J Thorac Cardiovasc Surg., 1991, pp. 402-426, Vol. 101.	
	C2	COX, J.L. et al., "The Surgical Treatment Atrial Fibrillation," (Pts. 3-4), J Thorac Cardiovasc Surg., 1991, pp. 569-592, Vol. 101, No. 4.	
	C3	HAINES, D.E. et al., "Tissue Heating During Radiofrequency Catheter Ablation: A Thermodynamic Model and Observations in Isolated Perfused and Superfused Canine Right Ventricular Free Wall," Pacint Clin Electrophysiol, June 1989, pp. 962-76, Vol. 12, No. 6.	
_	.1	.l.,	

Examiner Signature	l -	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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FRABEMER			Application Number			10/602,37	2	
							June 23, 2	2003
TRANS	TRANSMITTAL FORM					ned Inventor	Dany Beri	ube
(to be used for all correspondence during pendency of filed application)					up A	rt Unit Number	3731	
				Exar	mine	r Name	Amanda S	3. Adams
Total Number of Pag	ges in	This Submission	7*	Atto	mey	Docket Number	23488-091	91.
		ENCL	OSURES	(ch	eck	all that apply	/)	
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Signature:			a	رر	e	Smith		
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TOTAL AMOUNT OF PAYMENT

FEE FRANSMITTAL for FY 2006

(\$) 180

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

Application Number 10/602,372

Filing Date June 23, 2003

First Named Inventor Dany Berube

Examiner Name Amanda S. Adams

Art Unit 3731

Attorney Docket No. 23488-09191

METHOD OF PAYME				F	EE CALCULATION (continued)		
Check Credit Card Deposit Account:	Money Order Other None	3. AE	DITION	AL FEE	s		
Deposit Account Number 19-2555			Entity	Small	Entity	Fee Description	Fee Paid
Deposit Account Name	Fenwick & West LLP	Fee Code	Fee (\$)	Fee Code	Fee (\$)		
l <u> </u>	orized to: (check all that apply)	1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
I = - · · ·	below 🛛 Credit any overpayments	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
	(s) or any underpayment of fee(s) due	1053	130	1053	130	Non-English specification	
application	§1.17 during the pendency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
_ * ``	below, except for the filing fee to	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
the above-identified dep	posit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE C	ALCULATION	1251	120	2251	60	Extension for reply within first month	
1. BASIC FILING FEE		1252	450	2252	225	Extension for reply within second month	
Large Entity Small Entity		1253	1020	2253	510	Extension for reply within third month	
Fee Fee Fee	Fee Description Fee Paid	1254	1,590	2254	795	Extension for reply within fourth month	
Code (\$) Code (\$)		1255	2,160	2255	1,080	Extension for reply within fifth month	
		1401	500	2401	250	Notice of Appeal	
	<u> </u>	1402	500	2402	250	Filing a brief in support of an appeal	
	<u> </u>	1403	1000	2403	500	Request for oral hearing	
,	 	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
	TAL (1) (\$) 0	1452	500	2452	250	Petition to revive - unavoidable	
SUBTO	TAL (1) (\$) 0	1453	1,500	2453	750	Petition to revive - unintentional	
	FOR UTILITY AND REISSUE	1501	1,400	2501	700	Utility issue fee (or reissue)	
Ex	tra Claims Fee from Fee Paid below	1502	800	2502	400	Design issue fee	
Total Claims -20**=	X	1503	1100	2503	550	Plant issue fee	
Independent Claims	x =	1460	.—	1460	_	Petitions to the Director	
Multiple Dependent	=	1807	50	1807	50	Processing fee for Provisional Applications	
Large Entity Small Entity		1806	180	1806	180	Submission of Information Disclosure Stmt	180
Fee Fee Code (\$)	Fee Description	8021	. 40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 50 2202 25	Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 200 2201 100	Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1203 360 2203 180	Multiple dependent claim, if not paid	1801	790	2801	395	Request for Continued Examination (RCE)	
1204 200 2204 100	**Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application	
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SUBMITTED BY						Complete (if applicable)	

Name (Print/Type)	Albert C. Smith	Registration No. (Attorney/Agent) 20,355		Telephone (650) 335-7296	
Signature	G.	(, South	Date	8/2	106